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4	CLERK, U.S. DISTRICT COURT
5	AUG - 4 2008
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7	BY DEPUTY
8	UNITED STATES DISTRICT COURT
9	CENTRAL DISTRICT OF CALIFORNIA
10	
11	UNITED STATES OF AMERICA,) CASE NO. (1.08-688-NHM-2/
12	Plaintiff,
13	vs. ORDER OF DETENTION
14	Jesus Israel Martiners
15	Defendant.
16)
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18	I
19	A. () On motion of the Government in a case allegedly
20	involving:
21	1. () a crime of violence.
22	2. () an offense with maximum sentence of life
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24	3. () a narcotics or controlled substance offense with
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26	4. () any felony - where defendant convicted of two or
27	more prior offenses described above.
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1	5. () any felony that is not otherwise a crime of
2	violence that involves a minor victim, or possession or use
3	of a firearm or destructive device or any other dangerous
4	weapon, or a failure to register under 18 U.S.C. § 2250.
5	B. (On motion by the Government/ () on Court's own motion,
6	in a case allegedly involving:
7	() On the further allegation by the Government of:
8	1. (a serious risk that the defendant will flee.
9	2. () a serious risk that the defendant will:
10	a. () obstruct or attempt to obstruct justice.
11	b. () threaten, injure or intimidate a prospective
12	witness or juror, or attempt to do so.
13	C. The Government () is/ () is not entitled to a rebuttable
14	presumption that no condition or combination of conditions will
15	reasonably assure the defendant's appearance as required and the
16	safety or any person or the community.
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18	II
1,9	A. ($m{\psi}$ The Court finds that no condition or combination of
20	conditions will reasonably assure:
21	1. ($\mathcal O$ the appearance of the defendant as required.
22	(-) and/or
23	2. (U) the safety of any person or the community.
24	B. () The Court finds that the defendant has not rebutted by
25	sufficient evidence to the contrary the presumption provided by
26	statute.
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III 1 The Court has considered: 2 the nature and circumstances of the offense(s) charged, 3 including whether the offense is a crime of violence, a Federal 4 crime of terrorism, or involves a minor victim or a controlled 5 substance, firearm, explosive, or destructive device; 6 the weight of evidence against the defendant; 7 В. the history and characteristics of the defendant; and C. 8 the nature and seriousness of the danger to any person or the 9 community. 10 11 IV 12 The Court also has considered all the evidence adduced at the 13 hearing and the arguments and/or statements of counsel, and the 14 Pretrial Services Report/recommendation. 15 16 V 17 The Court bases the foregoing finding(s) on the following: 18 As to flight risk: 19 710 resources for 20 on \$ 1326 Cax; 21 22 23 24 25 26 /// 27 28

1	B. (As to danger:
2	Cumul history
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9	VI
10	A. () The Court finds that a serious risk exists the defendant
11	will:
12	1. () obstruct or attempt to obstruct justice.
13	2. () attempt to/() threaten, injure or intimidate a
14	witness or juror.
15	B. The Court bases the foregoing finding(s) on the following:
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20	VII
21	A. IT IS THEREFORE ORDERED that the defendant be detained prior
22	to trial.
23	B. IT IS FURTHER ORDERED that the defendant be committed to the
24	custody of the Attorney General for confinement in a corrections
25	facility separate, to the extent practicable, from persons
26	awaiting or serving sentences or being held in custody pending
27	appeal.
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1	C. IT IS FURTHER ORDERED that the defendant be afforded
2	reasonable opportunity for private consultation with counsel.
3	D. IT IS FURTHER ORDERED that, on order of a Court of the United
4	States or on request of any attorney for the Government, the
5	person in charge of the corrections facility in which defendant
6	is confined deliver the defendant to a United States marshal for
7	the purpose of an appearance in connection with a court
8	proceeding.
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11	DATED: 8/4/08 RALPH ZAREFSKY
12	UNITED STATES MAGISTRATE JUDGE
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14	S:\RZ\CRIM\Dtn Ord (Sept 06).wpd
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